

Read third time.

Senator Beck moved the final passage of S. B. No. 20.

The motion prevailed by the following vote:

Yeas—15.

|           |             |
|-----------|-------------|
| Beck.     | Regan.      |
| Burns.    | Sanderford. |
| Collie.   | Shivers.    |
| Davis.    | Small.      |
| Isbell.   | Stone.      |
| Martin.   | Sulak.      |
| Neal.     | Westerfeld. |
| Rawlings. |             |

Nays—11.

|           |            |
|-----------|------------|
| Blackert. | Pace.      |
| Cotten.   | Poage.     |
| DeBerry.  | Redditt.   |
| Hill.     | Van Zandt. |
| Holbrook. | Woodruff.  |
| Hornsby.  |            |

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Moore. |
| Hopkins.  | Oneal. |

Reasons for vote on S. B. No. 20:

"I am not going to vote public money for private purpose. The policy of the bill is bad; will lead to abuse, and is probably unconstitutional as well."

JOE L. HILL.

Senate Bill No. 25.

The Chair laid before the Senate on its second reading the following bill:

By Senator Burns:

S. B. No. 25, A bill to be entitled "An Act making an appropriation of money for the Sam Houston State Teachers College, at Huntsville, Texas, providing for the purpose thereof and declaring an emergency."

Senator Burns moved that the rule requiring copies of printed bill to lie on desks for 24 hours be suspended as to S. B. No. 25.

The motion prevailed by viva voce vote.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

Senator Woodruff sent up the following amendment:

Amend S. B. No. 25 by adding appropriately in the bill the following:

"To construct two cottages at College of Industrial Arts, Denton, \$10,000.00."

WOODRUFF.

Read.

Point of Order.

Senator Burns raised the point of order that the amendment was not germane to the bill.

The Chair, Senator Rawlings presiding, overruled the point of order.

Senator Woodruff moved the adoption of the amendment.

Motion to Table.

Senator Burns moved to table the amendment by Senator Woodruff.

Motion pending.

Adjournment.

On motion of Senator Poage the Senate at 3:55 o'clock p. m. adjourned until 10 o'clock a. m. Tuesday.

## APPENDIX.

### Committee on Engrossed Bills.

Committee Room,

Austin, Texas, Sept. 27, 1935.

Hon. Walter F. Woodul, president of the Senate.

Sir: We your Committee on Engrossed Bills, have had S. B. No. 16 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

## TWELFTH DAY.

Senate Chamber,

Austin, Texas,

October 1, 1935.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Will Martin.

The roll was called, a quorum being present, the following Senators answering to their names:

|           |             |
|-----------|-------------|
| Beck.     | Pace.       |
| Blackert. | Poage.      |
| Burns.    | Rawlings.   |
| Collie.   | Redditt.    |
| Cotten.   | Regan.      |
| Davis.    | Sanderford. |
| DeBerry.  | Shivers.    |
| Hill.     | Small.      |
| Holbrook. | Stone.      |
| Hopkins.  | Sulak.      |
| Hornsby.  | Van Zandt.  |
| Isbell.   | Westerfeld. |
| Martin.   | Woodruff.   |

## Absent—Excused.

Fellbaum.            Neal.  
Moore.                Oneal.

Prayer by the Rev. Virgil Fisher.

Prayer to the Senate

October 1, 1935.

Dear Lord and Father of Mankind, known of old and loved by those of yesteryears; Thou who hast accompanied with mortal men through all generations, keeping us from destruction and pointing out to us the ways we should take, be Thou in this lawmaking presence as we assemble this charming autumn morning, nor leave us, we beseech Thee, this whole day through.

May the great Senate of Texas be as clear-sighted this day and as strong and courageous as the needs of the hour impose. May we, each and all, bring to the day's contemplation something of the highness and importance of our task. May we be tall men, sun-crowned and honorable to the last degree in the exercise of duty, being conscious while we do it that the peace and prosperity of present life, and the future course of unborn generations shall be quite determined by the deliberations of this day.

I would be true for there are those who trust me;

I would be pure for there are those who care;

I would be strong for there is much to suffer;

I would be brave for there is much to dare.

I would be a friend to all—the foe, the friendless;

I would be giving and forget the Gift;

I would be humble, for I know my weakness;

I would look up, and laugh and love and lift.

Further reading of the Journal was dispensed with on motion of Senator DeBerry.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

## Senator Excused.

Senator Neal was excused on account of important business on motion of Senator Hornsby.

**Bills and Resolutions.**

**Senate Bill No. 25.**

Pending business was the pending amendment by Senator Woodruff to S. B. No. 25 and the pending motion to table.

The motion to table prevailed by viva voce vote.

Senator Pace sent up an amendment.

**Point of Order.**

Senator Burns raised the point of order that the amendment was out of order, not being germane to the bill.

The Chair, President Pro Tem. Will Martin presiding, sustained the point of order.

The bill was read second time and passed to engrossment.

On motion of Senator Burns, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 25 was put on its third reading and final passage by the following vote:

**Yeas—25.**

|           |             |
|-----------|-------------|
| Beck.     | Poage.      |
| Blackert. | Rawlings.   |
| Burns.    | Redditt.    |
| Collie.   | Regan.      |
| Cotten.   | Sanderford. |
| Davis.    | Shivers.    |
| DeBerry.  | Small.      |
| Hill.     | Stone.      |
| Holbrook. | Sulak.      |
| Hornsby.  | Van Zandt.  |
| Isbell.   | Westerfeld. |
| Martin.   | Woodruff.   |
| Pace.     |             |

**Absent—Excused.**

Fellbaum.            Neal.  
Hopkins.            Oneal.  
Moore.

**Motion to Reconsider.**

Senator Woodruff moved to reconsider the vote by which his amendment failed of adoption.

**Point of Order.**

Senator Burns raised the point of order that the amendment had been tabled and could not be reconsidered.

The Chair sustained the point of order.

Senator Woodruff sent up the following amendment:

Amend S. B. No. 25 by adding "to build 2 co-operative cottages at C. I. A., Denton, \$9000.00."

WOODRUFF.

Read.

The amendment lost, not having received the required two-thirds vote on third reading as shown by the following vote:

Yeas—12.

|           |             |
|-----------|-------------|
| Beck.     | Shivers.    |
| Davis.    | Small.      |
| Hornsby.  | Stone.      |
| Martin.   | Sulak.      |
| Rawlings. | Westerfeld. |
| Regan.    | Woodruff.   |

Nays—10.

|          |            |
|----------|------------|
| Burns.   | Holbrook.  |
| Collie.  | Isbell.    |
| Cotten.  | Pace.      |
| DeBerry. | Redditt.   |
| Hill.    | Van Zandt. |

Absent—Excused.

|           |             |
|-----------|-------------|
| Blackert. | Neal.       |
| Fellbaum. | Oneal.      |
| Hopkins.  | Poage.      |
| Moore.    | Sanderford. |

S. B. No. 25 was read third time and finally passed by the following vote:

Yeas—15.

|           |             |
|-----------|-------------|
| Blackert. | Sanderford. |
| Burns.    | Shivers.    |
| Cotten.   | Small.      |
| Hill.     | Stone.      |
| Holbrook. | Van Zandt.  |
| Martin.   | Westerfeld. |
| Rawlings. | Woodruff.   |
| Regan.    |             |

Nays—9.

|          |          |
|----------|----------|
| Collie.  | Pace.    |
| Davis.   | Poage.   |
| DeBerry. | Redditt. |
| Hornsby. | Sulak.   |
| Isbell.  |          |

Absent—Excused.

|           |        |
|-----------|--------|
| Beck.     | Moore. |
| Fellbaum. | Neal.  |
| Hopkins.  | Oneal. |

Senator Stone was recognized.

Senator Stone yielded the floor to Senator Hornsby to make a motion.

Senator Hornsby moved that the Secretary be requested to read a letter from Vice-President John N. Garner and that the letter be printed in the Journal.

The motion prevailed.

Senate Bill No. 36.

Senator Stone moved to suspend the regular order of business and take up S. B. No. 36.

The motion prevailed by viva voce vote.

By Senator Stone:

S. B. No. 36, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to loan fifteen thousand five hundred twenty-five dollars and seventy-one cents (\$15,525.71) each year of the current biennium out of the local funds of the college for the purpose of refinancing the Agricultural and Mechanical College Stadium Bonds now in default; and declaring an emergency."

Amend S. B. No. 36 by inserting in the caption the words "to the Athletic Council of such college."

STONE.

Read and adopted.

The rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time, as amended, and passed to engrossment.

On motion of Senator Stone, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 36 was put on its third reading and final passage by the following vote:

Yeas—25.

|           |             |
|-----------|-------------|
| Beck.     | Martin.     |
| Blackert. | Pace.       |
| Burns.    | Poage.      |
| Collie.   | Rawlings.   |
| Cotten.   | Redditt.    |
| Davis.    | Regan.      |
| DeBerry.  | Sanderford. |
| Hill.     | Shivers.    |
| Holbrook. | Small.      |
| Hornsby.  | Stone.      |
| Isbell.   | Sulak.      |

Van Zandt. Woodruff.  
Westerfeld.

Absent—Excused.

Fellbaum. Neal.  
Hopkins. Oneal.  
Moore.

Read third time and finally passed  
by the following vote:

Yeas—21.

|           |             |
|-----------|-------------|
| Beck.     | Rawlings.   |
| Blackert. | Regan.      |
| Burns.    | Sanderford. |
| Cotten.   | Shivers.    |
| Davis.    | Small.      |
| Hill.     | Stone.      |
| Holbrook. | Sulak.      |
| Hornsby.  | Van Zandt.  |
| Isbell.   | Westerfeld. |
| Martin.   | Woodruff.   |
| Poage.    |             |

Nays—3.

Collie. Redditt.  
DeBerry.

Absent—Excused.

Fellbaum. Neal.  
Hopkins. Oneal.  
Moore. Pace.

#### Senate Bill No. 27.

The Chair laid before the Senate  
on its second reading the following  
bill:

S. B. No. 27, A bill to be entitled  
"An Act making certain emergency  
appropriations out of the General  
Revenue of the State of Texas for  
the Livestock Sanitary Commission  
for additional support and mainte-  
nance of the Livestock Sanitary  
Commission for the balance of the  
two-year period beginning September  
1, 1935, and ending August 31, 1937,  
to cover the office expenses, travel-  
ing expenses, the purchase of dip ma-  
terial, and marking paint, labora-  
tory equipment and supplies, print-  
ing, indemnity tubercular cattle own-  
ers, of law enforcement, predatory  
animal extermination, investigation  
of contagious diseases, salaries of  
inspectors, and declaring an emer-  
gency."

Read second time and on motion  
of Senator Rawlings, S. B. No. 27  
was laid on the table subject to call.

#### H. C. R. No. 4.

Senator Van Zandt moved to sus-  
pend the regular order of business  
and take up H. C. R. No. 4.

H. C. R. No. 4, Authorizing the  
Highway Department to pay to A. G.  
Hutton of Muenster, Texas, for dam-  
ages created by an overpass near his  
place of business.

(With committee amendment.)

Committee Amendment No. 1.

Amend H. C. R. No. 4 by striking  
out the word "Cooke" in paragraph  
6 of said resolution, and substituting  
therefor the word "Travis."

Read.

Motion to Table.

Senator Rawlings moved to table  
Committee Amendment No. 1.

The motion to table prevailed by  
viva voce vote.

The rule requiring committee re-  
ports to lie over one day was sus-  
pended by unanimous consent.

The committee report recommend-  
ing that the resolution be not printed  
was adopted by unanimous consent.

H. C. R. No. 4 was adopted by  
viva voce vote.

#### Vote Recorded.

Senator DeBerry asked to be re-  
corded as voting "no" on adoption  
of H. C. R. No. 4.

#### Senate Resolution No. 10.

Senator Woodruff was recognized  
to send up a resolution:

Resolved by the Senate of the First  
Called Session of the Forty-fourth  
Legislature, That Senator Isbell and  
Senator-elect G. H. Nelson be fur-  
nished the 1928 Complete Texas  
Statutes and the two supplements  
thereto, to be paid for out of the  
Contingent Expense Fund of the  
Senate.

WOODRUFF.

Read.

Senator Woodruff moved that the  
rule requiring resolutions to be re-  
ferred to a committee be suspended  
and S. R. No. 10 be taken up at this  
time.

The motion prevailed by viva voce  
vote.

S. R. No. 10 was adopted unani-  
mously.

**Senate Bill No. 24.**

The Chair laid before the Senate on its second reading the following bill:

By Senator Redditt:

S. B. No. 24, A bill to be entitled "An Act making appropriations to certain State eleemosynary institutions for the fiscal years ending August 31, 1936, and August 31, 1937, for the purpose of supplementing salaries of certain officers and employees; providing for the manner of supplementing said salaries; providing that if any section, clause, or part of the Act be held invalid, other sections and parts of the Act shall not be affected, and declaring an emergency."

Amend S. B. No. 24 by adding the following: "All salaries of less than Seventy-five dollars per month are hereby increased by thirty-three and one-third percent and change all totals to correspond."

POAGE.

Read.

Pending.

**Motion to Lay on Table Subject to Call.**

Senator DeBerry moved to lay on the table subject to call S. B. No. 24 and pending amendment.

The motion prevailed by viva voce vote.

**Message From the Governor.**

The Chair recognized the Door-keeper, who introduced a messenger from the Governor with the following message:

Executive Office,

Austin, Texas, Oct. 1, 1935.

To the Senate of the Forty-fourth Legislature (In First Called Session):

I ask the advice, consent and confirmation of the Senate to the following appointments:

To be San Jacinto State Park Commissioners:

Miss Mary Tod, of Harris County;  
William A. Kendall, of Harris County;

Perry Moore, of Harris County;  
(To succeed Morris Rosenthal,  
Mrs. W. C. Carbett and  
Thomas Kehoe.)

To be Gonzales State Park Commissioners:

Mrs. Clarence Traeger, of Gonzales County;

Mrs. B. Duncan Davis, of Gonzales County;

(To succeed Mrs. John C. Jones and Mrs. B. B. Hoskins, Sr., resigned.)

Respectfully submitted,

JAMES V. ALLRED,

Governor of Texas.

Read and referred to the Committee on Governor's Nominations.

**Senate Resolution No. 11.**

Whereas, The Dallas Morning News is celebrating the fiftieth anniversary of its establishment; and

Whereas, The Dallas Morning News has throughout the one-half century of its life been a powerful influence in the moral, intellectual, and social development of Texas; and,

Whereas, This splendid newspaper is now recognized throughout the nation as one of the foremost journals of the times; therefore,

Be It Resolved, That the Senate of Texas extend its sincere congratulations to the Dallas News and its president, Honorable George B. Dealey, for the outstanding service extending over a period of one-half century; and,

Be It Further Resolved, That the Senate especially express its gratification for the high standard of personnel that has represented the Dallas News as State Capitol correspondents, together with the fairness and correctness of their reports from day to day; and,

Be It Further Resolved, That the Senate of Texas wish for this great institution a continued and even higher standard of service through the coming second century of our State into which it is now entering.

SANDERFORD,  
MARTIN,  
REDDITT,  
BURNS,  
STONE.

Senator Sanderford moved that the rule requiring resolutions to be referred to a committee be suspended and that S. R. No. 11 be taken up for consideration at this time.

The motion prevailed.  
S. R. No. 11 was adopted unanimously.

### Senate Bill No. 28.

The Chair laid before the Senate on its second reading the following bill:

By Senator Redditt:

S. B. No. 28, A bill to be entitled "An Act making an appropriation for the purpose of reroofing and repairing the Governor's Mansion, and repairing, improving and refurnishing the executive reception room in the State Capitol building, and declaring an emergency."

Laid on table for two minutes on motion of Senator Rawlings and by unanimous consent of the Senate.

Senator Rawlings called up S. B. No. 28 and sent up the following amendment:

Amend S. B. No. 28 by adding Section 2 to read as follows:

"Section 2. The sum of \$5000.00 or so much thereof as may be necessary, is hereby appropriated out of any monies in the State treasury not otherwise appropriated, for the purpose of paying the salaries and expenses of inspectors of the Motor Transportation Division of the Railroad Commission."

And renumbering the emergency clause to be "Section 3."

RAWLINGS.

Read and adopted.

Senator Rawlings asked unanimous consent to amend the caption to conform to the body of the bill and to add the emergency clause.

Unanimous consent was granted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Redditt the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 28 was put on its third reading and final passage by the following vote:

Yeas—25.

|           |           |
|-----------|-----------|
| Beck.     | Davis.    |
| Blackert. | DeBerry.  |
| Burns.    | Hill.     |
| Collie.   | Holbrook. |
| Cotten.   | Hornsby.  |

|             |             |
|-------------|-------------|
| Isbell.     | Shivers.    |
| Martin.     | Small.      |
| Pace.       | Stone.      |
| Poage.      | Sulak.      |
| Rawlings.   | Van Zandt.  |
| Redditt.    | Westerfeld. |
| Regan.      | Woodruff.   |
| Sanderford. |             |

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Neal.  |
| Hopkins.  | Oneal. |
| Moore.    |        |

Read third time and finally passed by the following vote:

Yeas—24.

|           |             |
|-----------|-------------|
| Beck.     | Poage.      |
| Blackert. | Rawlings.   |
| Burns.    | Redditt.    |
| Cotten.   | Regan.      |
| Davis.    | Sanderford. |
| DeBerry.  | Shivers.    |
| Hill.     | Small.      |
| Holbrook. | Stone.      |
| Hornsby.  | Sulak.      |
| Isbell.   | Van Zandt.  |
| Martin.   | Westerfeld. |
| Pace.     | Woodruff.   |

Nays— 1.

Collie.

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Neal.  |
| Hopkins.  | Oneal. |
| Moore.    |        |

### Senate Bill No. 29.

The Chair laid before the Senate on its second reading the following bill:

By Senator Poage:

S. B. No. 29, A bill to be entitled "An Act making an appropriation to adjust, correct, and supplement the salaries of certain positions in the State Department of Education, which salaries were not adjusted in the Regular Session of the Forty-fourth Legislature, and declaring an emergency."

Laid on the table two minutes on motion of Senator Redditt by unanimous consent of the Senate.

Senator Poage called up S. B. No. 29.

Senator Redditt sent up the following:

Amend S. B. No. 29 by adding the following after line 26, on page 1:  
 "Supervisor homemaking education, \$150.00."

REDDITT.

Read and adopted.

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Poage the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 29 was put on its third reading and final passage by the following vote:

Yeas—25.

|           |             |
|-----------|-------------|
| Beck.     | Poage.      |
| Blackert. | Rawlings.   |
| Burns.    | Redditt.    |
| Collie.   | Regan.      |
| Cotten.   | Sanderford. |
| Davis.    | Shivers.    |
| DeBerry.  | Small.      |
| Hill.     | Stone.      |
| Holbrook. | Sulak.      |
| Hornsby.  | Van Zandt.  |
| Isbell.   | Westerfeld. |
| Martin.   | Woodruff.   |
| Pace.     |             |

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Neal.  |
| Hopkins.  | Oneal. |
| Moore.    |        |

Read third time and finally passed by the following vote:

Yeas—25.

|           |             |
|-----------|-------------|
| Beck.     | Poage.      |
| Blackert. | Rawlings.   |
| Burns.    | Redditt.    |
| Collie.   | Regan.      |
| Cotten.   | Sanderford. |
| Davis.    | Shivers.    |
| DeBerry.  | Small.      |
| Hill.     | Stone.      |
| Holbrook. | Sulak.      |
| Hornsby.  | Van Zandt.  |
| Isbell.   | Westerfeld. |
| Martin.   | Woodruff.   |
| Pace.     |             |

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Neal.  |
| Hopkins.  | Oneal. |
| Moore.    |        |

# Senate Bill No. 30.

The Chair laid before the Senate on its second reading the following bill:

By Senator Woodruff:

S. B. No. 30, A bill to be entitled "An Act to appropriate money to pay all rentals due and unpaid by the State of Texas under contracts made by the Adjutant General with the owners of buildings, for the purpose of housing various kinds of military and army property belonging to the State and used by the National Guard, and to validate said accounts and the contracts under which the same accrued, and declaring an emergency."

The committee report recommending that the bill be printed was adopted by unanimous consent.

The bill was read second time and passed to engrossment.

On motion of Senator Woodruff the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 30 was put on its third reading and final passage by the following vote:

Yeas—25.

|           |             |
|-----------|-------------|
| Beck.     | Poage.      |
| Blackert. | Rawlings.   |
| Burns.    | Redditt.    |
| Collie.   | Regan.      |
| Cotten.   | Sanderford. |
| Davis.    | Shivers.    |
| DeBerry.  | Small.      |
| Hill.     | Stone.      |
| Holbrook. | Sulak.      |
| Hornsby.  | Van Zandt.  |
| Isbell.   | Westerfeld. |
| Martin.   | Woodruff.   |
| Pace.     |             |

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Neal.  |
| Hopkins.  | Oneal. |
| Moore.    |        |

Read third time and finally passed by the following vote:

Yeas—24.

|           |           |
|-----------|-----------|
| Beck.     | Holbrook. |
| Blackert. | Hornsby.  |
| Burns.    | Isbell.   |
| Collie.   | Martin.   |
| Cotten.   | Pace.     |
| Davis.    | Poage.    |
| Hill.     | Rawlings. |

|             |             |
|-------------|-------------|
| Redditt.    | Stone.      |
| Regan.      | Sulak.      |
| Sanderford. | Van Zandt.  |
| Shivers.    | Westerfeld. |
| Small.      | Woodruff.   |

Nays— 1.

DeBerry.

Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Neal.  |
| Hopkins.  | Oneal. |
| Moore.    |        |

#### Executive Session.

Senator Blackert at 11:20 o'clock moved that the Senate go into executive session for the purpose of considering Governor's nomination. The motion prevailed.

The time set for executive session, having arrived the chamber was cleared and the doors locked.

#### After Executive Session.

At the conclusion of executive session the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

#### Committee Room,

Austin, Texas, October 1, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Governor's Nominations, to whom was referred the following appointments, have had the same under consideration and I, as Vice-Chairman of said Committee, am instructed to report same back to the Senate with the recommendation that they be in all things confirmed:

To be Members of the Advisory Judicial Council:

Ira P. Hildebrand, of Austin, Travis County, (reappointment, 6-year term beginning July 1, 1935).

Alonzo Wasson, of Dallas, Dallas County, (reappointment, 6-year term beginning July 1, 1935).

To be Members of the State Board of Barber Examiners:

J. M. Burton, of Tulia, Swisher County, to succeed C. W. Dick, of Abilene;

N. J. Dartez, of Beaumont, Jefferson County, to succeed J. L. Dunn, of Corsicana.

To be Member of Industrial Accident Board, Representing Employee of Labor:

H. F. Martin, of Dallas, Dallas County, (Term effective October 1st, 1935, succeeding Mrs. Espa Stanford, resigned).

To be Member of State Commission for the Blind:

James A. Boddeker, of Galveston County (reappointment).

To be Chairman of the Livestock Sanitary Commission:

Louis J. Wardlaw, of Fort Worth, Tarrant County, to succeed Dave Nelson, resigned.

To be Member of Board of Directors of Agricultural and Mechanical College:

Dr. J. T. Lawson, of Bowie, Montague County, to succeed Louis J. Wardlaw, who was appointed chairman of the Livestock Sanitary Commission.

To be Members of the Board of Regents of the College of Arts and Industries at Kingsville:

Sam Fore, of Floresville, Wilson County;

Henry W. Bell, of Brownsville, Cameron County; (Mr. Fore and Mr. Bell to succeed Robert Lee Bobbitt and Lamar Gill).

Mrs. Marion B. Stoner, of Victoria, Victoria County (reappointment).

To be Member of the State Library and Historical Commission:

George D. Sears, of Houston, Harris County, to succeed Abe Gordon, of Houston.

BLACKERT, Vice-Chairman

Adopted October 1, 1935.

BOB BARKER,

Secretary of the Senate.

#### Adjournment.

On motion of Senator Pace the Senate at 11:35 o'clock a. m. adjourned until 10 o'clock a. m. Wednesday.

#### APPENDIX.

##### Petitions and Memorials

Uvalde, Texas, Sept. 30, 1935.

Hon. Bob Barker, Secretary,  
The Senate of the State of Texas,  
Austin, Texas.



Dear Bob: I don't know when I have had anything to affect me as did the petition you sent. I know these people are my friends and admirers and it just gets my "goat" not to be able to comply with their request, but I feel that I should adhere to the policy that I have established for the past three years.

Won't you give each one of these friends my regards, best wishes and love. Since I returned to Texas I haven't enjoyed a day more than when the Speaker, Lieutenant Governor and some associates came down to see me. We had a good time, at least I did. I wish you all could come down.

I hope you will make the best apology you can for me. I realize it is an apology as I feel that I should comply with the request, but I believe it would be inadvisable to depart from my original policy, though adhering to it means that I must deny myself much pleasant association.

I have been under the weather for the last day or two, but have been taking a course of medicine so should be all right again soon.

With warm personal regards, I am  
Truly your friend,

JNO. N. GARNER.

#### Committee on Engrossed Bills

Committee Room,

Austin, Texas, Sept. 30, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 19 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, Sept. 30, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 20 carefully examined and compared and find same to be correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, October 1, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No.

25 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

Committee Room,

Austin, Texas, October 1, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 36 carefully examined and compared and find same correctly engrossed.

DAVIS, Chairman.

#### Committee Reports.

Committee Room,

Austin, Texas, Sept. 30, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 34, A bill to be entitled "An Act to appropriate money to pay judgment for the sum of Twelve Hundred (\$1200.00) Dollars against the State of Texas in favor of R. D. Winder in cause No. 52982 in the 126th District Court of Travis County, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, Sept. 30, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 36, A bill to be entitled "An Act authorizing the Board of Directors of the Agricultural and Mechanical College of Texas to loan Fifteen Thousand Five Hundred Twenty Five dollars and Seventy One cents (\$15,525.71) each year of the current biennium out of the local funds of the College to the Athletic Council of such College for the purpose of refinancing the Agricultural and Mechanical College Stadium Bonds now in default; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,  
Austin, Texas, Sept. 30, 1935.  
Hon. Walter F. Woodul, President  
of the Senate.

Sir: We, your Committee on Finance, to whom was referred

S. B. No. 38, A bill to be entitled "An Act making an appropriation of money to the Texas State Park Board for improvement and construction work in the State Parks of Texas, providing the manner of distribution, providing the proper supervision, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with Committee Amendments Nos. 1 and 2, and be printed.

REDDITT, Chairman.

#### Committee Amendment No. 1.

Amend S. B. No. 38 by striking out all of Section 4, and inserting in lieu thereof the following:

Sec. 4. There is hereby appropriated out of any moneys in the State Treasury, not otherwise appropriated, the sum of Thirty Thousand (\$30,000.00) Dollars, to be used by the Board of Control for the purpose of improvement, construction and landscape work on San Jacinto State Park in Harris County, Texas, to be used as a part of sponsors' funds to match Federal funds for such work under the Works Progress Administration.

Sec. 5. This appropriation conditioned, however, upon the hereinafter grant from the Federal Government in the sum of not less than Two Hundred Thousand (\$200,000.00) Dollars to the State of Texas for use by the State of Texas in the improvement, construction and landscape work on San Jacinto State Park in Harris County, Texas. In the event said grant is not obtained within ninety days from the effective date of this Act, the Act shall become null and void as to this portion of the appropriation herein provided for, and the amount of appropriation shall revert to and become a part of the General Fund of this State.

Sec. 6. All distribution of funds herein appropriated shall be under the direct supervision of the State Board of Control.

Sec. 7. The fact that the Texas

State Park Board has been invited to participate in a construction program for the improvement of the Texas State parks in conjunction with the National Youth Administration of Texas; and the fact that Two Hundred Thousand Five Hundred and Twenty (\$200,520.00) Dollars will be contributed by the National Youth Administration of Texas for such improvement work in the State parks; and the further fact that One Hundred and Twenty Thousand (120,000) youths in Texas, now unemployed, will be benefitted by this program, and a large percentage of said youths will be furnished with the necessities of life through labor under this project; and the further fact that the State parks of Texas are in dire need of improvement and construction; and the further fact that the improvement of the Texas State parks will constitute a permanent benefit to all of Texas; and the further fact that San Jacinto State Park is one of the hallowed grounds of Texas, and is badly in need of repair and improvement, constitute an emergency and an imperative public necessity, requiring the suspension of the Constitutional Rule that bills be read on three several days in each House, and said Rule is hereby suspended and this Act shall take effect and be in force from and after its passage, and it is so enacted.

#### Committee Amendment No. 2.

Amend the caption to S. B. No. 38 to read as follows:

"A bill to be entitled An Act making an appropriation to the Texas State Park Board for improvement and construction work in the State Parks of Texas, and making an appropriation of money to the State Board of Control for improvement and construction and landscape work on the San Jacinto State Park, Harris County, Texas, providing the manner of distribution, providing the proper supervision, and declaring an emergency."

Committee Room,  
Austin, Texas, Sept. 30, 1935.  
Hon. Walter F. Woodul, President  
of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. C. R. No. 4, Granting A. G.

Hutton permission to sue the State of Texas.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, with Committee Amendment No. 1, and be not printed.

REDDITT, Chairman.

Committee Amendment No. 1.

Amend H. C. R. No. 4 by striking out the word "Cooke" in paragraph 6 of said Resolution, and substituting therefor the word "Travis."

Committee Room,

Austin, Texas, Sept. 30, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 26, A bill to be entitled "An Act fixing the compensation of districts attorneys in judicial districts composed of two or more counties; providing that this Act shall not deprive such district attorneys of their expense allowance; providing for the disposition of fees, commissions and perquisites earned and collected by such district attorneys; providing that nothing in this Act shall affect the laws now in existence with reference to assistant district attorneys, investigators and stenographers; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Sept. 30, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 33, A bill to be entitled "An Act to amend Article 5139 of the Revised Civil Statutes of Texas of 1925, providing for constituting the district judges, judges of the criminal district courts, and county judges of certain counties juvenile boards for such counties; providing salaries for the judges of the district courts of certain counties as members of said juvenile boards, and the manner of payment of same;

repealing all laws in conflict herewith; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Sept. 30, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 36, A bill to be entitled "An Act to permit the Bradfish Grain Company and the member or members composing the same to sue the State of Texas and the State Highway Department of Texas, for damages alleged to have been done and to have accrued to the property of said company, which is used for conducting a grain business in the city of Weatherford, said property being used in conducting a feed and grain business and located on the north side and adjoining Fort Worth Street and State Highway No. 1; said damages being alleged to have resulted from the construction and maintenance of a viaduct and dump on said street and highway in front of said Grain Company's said place of business by obstructing and cutting off access thereto; fixing the venue of such suit and appropriating a sufficient amount of money to pay whatever judgment may be recovered therein; providing for the service of process on any member of the State Highway Department, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

Committee Room,

Austin, Texas, Sept. 30, 1935.

Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. C. R. No. 2, A concurrent resolution to be entitled "Resolution granting Miss Hattie Ray Watson permission to bring suit against the State of Texas and State Highway Commission."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

PACE, Chairman.

### THIRTEENTH DAY.

Senate Chamber,  
Austin, Texas,  
October 2, 1935.

The Senate at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tem. Will M. Martin.

The roll was called, a quorum being present, the following Senators answering to their names:

|           |             |
|-----------|-------------|
| Beck.     | Pace.       |
| Blackert. | Poage.      |
| Burns.    | Rawlings.   |
| Collie.   | Redditt.    |
| Cotten.   | Regan.      |
| Davis.    | Sanderford. |
| DeBerry.  | Shivers.    |
| Hili.     | Small.      |
| Holbrook. | Stone.      |
| Hopkins.  | Sulak.      |
| Hornsby.  | Van Zandt.  |
| Isbell.   | Westerfeld. |
| Martin.   | Woodruff.   |
| Neal.     |             |

#### Absent—Excused.

|           |        |
|-----------|--------|
| Fellbaum. | Oneal. |
| Moore.    |        |

Prayer by the Chaplain.

Further reading of the Journal was dispensed with on motion of Senator Holbrook.

#### Committee Reports.

(See Appendix.)

#### Minutes of Committee Meeting.

(See Appendix.)

#### Messages From the House.

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following messages:

Hall of the House of Representatives,  
Austin, Texas, Oct. 2, 1935.

Hon. Will M. Martin, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House

has passed the following bills and resolutions:

H. C. R. No. 6, "Granting Mrs. Beular McFarland and husband, V. C. McFarland, and A. D. Baker and wife permission to sue the State of Texas and/or the State Highway Department of Texas for personal damages.

H. C. R. No. 7, Granting Willie N. Gotcher permission to sue the State of Texas and/or the State Highway Department for personal injuries.

H. C. R. No. 8, Instructing the board of directors of the Agricultural and Mechanical College to receive grants of money made by an Act of Congress.

H. B. No. 48, A bill to be entitled "An Act to add a new section to be known as Section 16a to, and to amend Section 1 and 7 of, Senate Bill No. 43, Chapter 17, of the General and Special Laws passed by the Second Called Session of the Forty-third Legislature of the State of Texas, which Act relates to the issuance of bonds, notes, or warrants payable from revenues other than taxation, for the construction, maintenance, and operation of certain improvements in certain cities, and authorizes such cities to borrow money from the United States Government or other Federal Agencies, or from any person, firm or corporation, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,

Chief Clerk, House of Representatives.

Hall of the House of Representatives,  
Austin, Texas, Oct. 2, 1935.

Hon. Will M. Martin, President Pro Tempore of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

S. B. No. 15, A bill to be entitled "An Act amending Subdivision 18 of Article 1302, Revised Civil Statutes of Texas of 1925; and declaring an emergency."

S. B. No. 18, A bill to be entitled "An Act authorizing commissioners' courts in counties having a population of not less than 125,000 inhabitants and not more than 175,000 inhabitants, and containing a city of not less than 90,000 inhabitants, according to the last preceding Federal census, to levy a direct tax of not